

Application for the Indiana Supreme Court

Part One, Sections 1-11

1. Contact/General Information

A. Full legal name and any former names.

Frances Marie Cutino Gull

Frances Marie Cutino

B. State the full name (use initials for minor children), age, and relationship of each person residing in your household. For each adult living in the household (other than yourself), also state the person's occupation and employer.

Alan Edward Gull, 63 years old, spouse. Retired August 2014, formerly employed by the Allen County Highway Department as a Field Supervisor.

C. Business address, email, and telephone number.

Judge Frances C. Gull

Allen Superior Court, Room 314

715 South Calhoun Street

Fort Wayne, Indiana 46802

TX (260)449-7600

FAX (260)449-4600

frances.gull@allensuperiorcourt.us

D. Attorney number.

8419-02

E. Month and year you were admitted to the Indiana Bar.

15 May 1984

a. Indicate current law license status, i.e. active/inactive/retired.

Active and in good standing

b. If you are or have been a member of the Bar of any other state, identify the jurisdiction and provide date(s) of admission and current license status.

I am only admitted in the State of Indiana.

- F. Date and place of birth.
 - 25 August 1958 in Portland, Oregon
- G. County of current residence and date you first became a resident.

I currently reside in Fort Wayne, Allen County, Indiana since November 1984.

2. <u>Secondary Education/Military Experience</u>

- A. List all undergraduate colleges and universities you attended. Include the school name; dates enrolled; degree or certificate earned; and any academic honors, awards, or scholarships you received and when.
 - Saint Joseph's College, Rensselaer, Indiana; enrolled August 1976-May 1980, Bachelors of Science Degree in Political Science/Biology, May 1980.
- B. Include with your original application a certified transcript from each school named in Subsection 2A, and attach copies of each transcript to each application copy. (If your social security number is on your transcripts, redact it *before* copying.)
 - See attached College transcript.
- C. If applicable, list any military service. Include the name of the military branch; dates of service; last rank achieved; and any honors, awards, or commendations received and when. Attach a copy of your Certificate of Release or Discharge from active duty ("DD 214" paperwork).

No enlisted military service, although I was raised on Air Force bases around the world with my father, a career Air Force NCO.

3. Post-Secondary Education

- A. List all law schools, graduate schools, and post-J.D. programs attended. Include the school name; dates enrolled; degree or certificate earned; class rank; and any academic honors, awards, or scholarships you received and when.
 - Valparaiso University School of Law; enrolled August 1980-May 1983, Juris Doctor Degree. Valparaiso did not rank its students while I was enrolled. I graduated from law school with Highest Academic Honors in Estate Planning.
- B. Include with your original application a certified transcript from each school named in Subsection 3A, and attach copies of each transcript to each application copy. (If your social security number is on your transcripts, redact it *before* copying.)

See attached Law School transcript.

4. Employment

A. Provide your employment history since graduation from college. Include name of employer, titles or positions, locations, and dates of employment.

Legal Secretary, 1981-1982, for Stuart Hyvonen, Attorney at Law, Rensselaer, Indiana.

Law Clerk, Family Relations Division (6 months), Criminal Division (6 months), for Allen Superior Court, Fort Wayne, Indiana, July 1983-August 1984; for the Honorable Robert Hockensmith, Honorable William Briggs, Referee Robert Schmoll, Honorable James Jackson, Honorable Philip R. Thieme, and Honorable Alfred Moellering.

Associate Attorney, for Courtney B. Justice Law Office, Logansport, Indiana and Delphi, Indiana, August 1984-November 1984.

Traffic and Misdemeanor Court Referee (in the morning) and Probate Commissioner (in the afternoon) for Allen Superior Court, Fort Wayne, Indiana, November 1984-March 1987; for the Honorable Robert Hines.

Deputy Prosecuting Attorney, Allen County Prosecuting Attorney's Office, Fort Wayne, Indiana, in the Sex Crimes Unit; promoted to Section Chief of the Felony Division, March 1987-August 1988; for Stephen M. Sims.

Magistrate for the Honorable Thomas L. Ryan, Allen Circuit Court, Fort Wayne, Indiana, August 1988-March 1989.

Chief Counsel of the Prosecutor, Stephen M. Sims, Allen County Prosecuting Attorney's Office, Fort Wayne, Indiana, March 1989-December 1990.

Chief Deputy Prosecuting Attorney, Allen County Prosecuting Attorney's Office, Fort Wayne, Indiana, for Stephen M. Sims (December 1990-1992), then for Robert W. Gevers, II (January 1993-December 1996).

Elected Judge of Allen Superior Court, Criminal Division, January 1997-present.

B. If applicable, describe the nature and extent of your practice of law (present and former), and provide the names of your partners, associates, office mates, and employers.

I practiced privately for a brief period of time for Courtney B. Justice, a sole practitioner, at his offices in Delphi, Indiana and Logansport, Indiana from August 1984-November 1984. I represented clients in criminal court at initial hearings, bench trials, and one jury trial. I represented clients in dissolution matters, adoptions, and CHINS, as well as in personal injury cases. I wrote wills, assisted clients with estate planning, and established trusts and guardianships for multiple clients.

5. Trial/Judicial Experience

A. Describe the extent of your jury trial experience, if any.

During my tenure in the Allen County Prosecuting Attorney's Office, I prosecuted thousands of cases, misdemeanors to felonies. Over the course of my work, I was privileged to present well over 400 cases to juries in Allen County, Indiana and Marion County, Indiana. These cases ranged from homicide to misdemeanor battery. My jury trial experience included capital murder cases, homicide cases of all class offense, rape, robbery, burglary, arson, child molesting, official misconduct, fraud, forgery, drug dealing, theft, child pornography, criminal recklessness, criminal gang activity, etc. I also presented approximately 10 investigations to Grand Juries impaneled by the Allen Circuit Court dealing with murder, police action shootings, allegations of elected officials' misconduct, gang activity, and rape.

B. Describe the extent of your bench trial experience, if any.

The majority of the cases I handled in the Misdemeanor and Traffic Division of the Allen Superior Court while a Deputy Prosecutor were resolved with bench trials. I successfully represented the State of Indiana on hundreds and hundreds of traffic citations, minor consuming alcohol cases, prostitution, disorderly conduct, public intoxication, driving while intoxicated, and criminal conversion cases, to name just a few.

C. If applicable, describe the nature and extent of your judicial experience (including as a judge *pro tempore*). Include a description of your experience presiding over jury trials, if any.

I was elected to the Allen Superior Court, Criminal Division, on a non-partisan ballot, successfully challenging 5 other attorneys to win my seat. I commenced my service to the Court on January 1, 1997. My first assignment was in the "D Felony" division of the Court, responsible for a caseload of approximately 200 D Felony cases as well as the daily Arraignment calendar. This calendar started at 8:30 a.m.; I was responsible for initial hearings, omnibus hearings, trial settings, appointment of counsel, bail hearings, probation revocation hearings, guilty pleas, and any other pre-trial motion not assigned to the trial court judge. This calendar often had 50-75 cases per morning that I was responsible for, prior to addressing my own calendar of D Felony cases. In the D Felony division, my caseload was comprised of lower level felony offenders charged with offenses such as theft, criminal recklessness, prostitution, fraud, handgun violations, battery, and escape. I was in this division for one year, and rotated into the A-B-C Felony division of the Court, which is my current assignment. My docket consists of murder, rape, robbery, arson, burglary, child molesting, possession of child pornography, corrupt business influence, racketeering, criminal gang activity, etc. I am in Court virtually every day with motions, bail review hearings, guilty pleas, sentencing, modifications, suppression hearings, postconviction hearings, and jury trials.

Since taking the bench, I have presided over approximately 550 felony jury trials encompassing over 800 trial days. These jury trials have lasted in length from one day up to two weeks. The two week trial was a death penalty case with four victims. Due to extensive pre-trial publicity (which included news accounts of this defendant's previous acquittals in the murders of his parents), I traveled to Porter County, Indiana to select the jury and bring them back to Fort Wayne, Indiana for the sequestered trial. I have also traveled to St. Joseph County, Indiana to select a different jury for the murder trial of a Fort Wayne Police Officer, also due to extensive pre-trial publicity. These sequestered

trials present unique logistical challenges. I have also been responsible for several other death penalty cases which were resolved with guilty pleas for life without parole or a term of years in the Department of Correction.

Since January 1, 1999, I have served the Criminal Division as the Administrative Judge, overseeing the day-to-day operations of four felony courts, two misdemeanor and traffic courts, and Criminal Division Services (consisting of our misdemeanor Court alcohol and drug program, our Pre-Trial Services Agency, and the Drug Court Problem Solving Court Program). I work closely with the Court Executive and his staff to develop and manage a budget in excess of \$1,000,000. I manage and supervise a staff of approximately 50 employees, including Magistrates, court reporters and schedulers, bail investigators, case managers, clerical staff, judicial assistants, file clerks, supervisory personnel, security officers, professional staff members, and executive level staff. I ensure that all personnel matters, including hiring, disciplinary actions, and terminations are handled appropriately and consistent with the Courts Employee Handbook. I am responsible for oversight and management of a four-story building, separate from the Courthouse, which houses Criminal Division Services. Our Pre-Trial Services Agency also maintains office space adjacent to the jail and the Misdemeanor Courts complex located at the Bud Meeks Criminal Justice Building, also part of my responsibility to maintain and manage. The Pre-Trial Services Agency supervises offenders pre-conviction, ensuring compliance with conditions of bond, reporting any non-compliance to the Court. This Agency supervises over 11,000 offenders yearly, averaging over 2,000 contacts per month with offenders.

I communicate daily with the Sheriff's Department regarding Courthouse (including the Bud Meeks Criminal Justice Building) and courtroom security needs, the jail population, prisoner movement and transportation, and staffing assignments. We are currently working on a video arraignment project to allow certain offenders to appear via CourtCall from the jail to reduce transportation costs to the Sheriff and enhance security.

I maintain an excellent working relationship with the Clerk of the Allen Circuit and Superior Courts, the Sheriff of Allen County, the Chiefs of Police from Fort Wayne and the City of New Haven, the County Commissioners and the Allen County Council, the Auditor, the Prosecuting Attorney, the Chief Public Defender, and my nine colleagues on the Circuit and Superior Court bench. I appear frequently before the Allen County Council and the Commissioners on financial matters and technology. I speak almost daily with members of our local media, as well as state and national media when appropriate, and maintain a good professional relationship to ensure accurate coverage of our Court.

I am the Supervising Judge of our misdemeanor alcohol and drug program, which is one of the oldest and largest free standing programs in the State. In 2013, we admitted over 1,600 new clients into the program, with a total population of 8,058; in 2014 we admitted over 1,300 new clients, bringing our 2014 population to 7,195 clients receiving services. We conduct risk/needs assessments on each client and make treatment referrals into the community. We supervise these individuals until the conclusion of their programming, and monitor their abstinence with thousands of random drug and alcohol tests. Our program has been successfully certified repeatedly by the Indiana Judicial Center.

Since 2001, I have presided over one of Indiana's oldest and most successful Drug Courts. In collaboration with the Allen County Prosecutor, our program was expanded in 2003 to

include not only offenders charged with drug offenses, but non-violent individuals whose criminal activity was fueled by addiction. Our program currently supervises 180 defendants with criminal charges ranging from Class A felony drug offenses to misdemeanor Operating while Intoxicated. Our team consists of me, the Program Director and Assistant Director, a Public Defender, a Deputy Prosecuting Attorney, six Case Managers, three treatment providers, and two support group facilitators. On December 14, 2015, 39 successful graduates participated in the 40th Drug Court Graduation in a ceremony featuring a Keynote speech given by Pastor Donovan A. Coley, Sr., President/CEO of the Fort Wayne Rescue Mission, one of our community partners. This group of 39 graduates joins 727 successful graduates since the program began in 1997. Other jurisdictions across the State have visited our program, and we have provided advice, guidance, and mentorship to numerous programs just beginning, the most recent being Adams County.

In 2014, in collaboration with the Honorable Thomas Felts, Allen Circuit Court, we began the Allen County Joint Veterans Court, the first of its kind in the State of Indiana. We share resources and staff at the local VA Hospital to ensure justice involved veterans get the services and treatment they are entitled to, while ensuring community safety. On November 9, 2015 the 2nd Veterans Court Graduation Ceremony saw 9 graduates successfully complete the program. Justice Stephen David of the Indiana Supreme Court was the featured Keynote speaker, with remarks from Senator Dan Coats, Senator Joe Donnelly, and Congressman Marlin Stutzman.

I have been appointed by the Allen Circuit Court Judge and the Board of Judges for Allen Superior Court as the Supervising Judge of our jury office and staff, the jury software system, and statutory jury plan. In 2002, I was responsible for bringing a new jury system to Allen County with the purchase of software from Judicial Systems, Inc. a nationally recognized provider of state-of-the-art technology for managing juror information. I continue to bring innovative ideas to Allen County with the recent introduction of Internet based questionnaires, text messaging notifications of jury duty, and the ability of jurors to interact with our system with questions via mJuror, which uses natural language processing, the first jurisdiction in the United States to use such technology. Allen County continues to be a leader in jury technology and has hosted several jurisdictions seeking to update their systems.

The National Center for State Courts recently presented me with the 2015 G. Thomas Munsterman Award for Jury Innovation in a ceremony held November 10, 2015 at the Allen County Courthouse. Indiana Court of Appeals Judge Paul Mathias served as the Master of Ceremonies in an event attended by over 150 dignitaries, elected officials, Court personnel, attorneys, colleagues and friends. The award is given annually to states, local courts, organizations and individuals who have made significant improvements or innovations in jury procedures, operations and practices. I was recently recognized for this award by the Chief Justice of Indiana, Loretta Rush, in her State of the Judiciary Address, given to a joint session of the Indiana General Assembly on January 13, 2016

6. Professional Experience

Include as writing samples, four selections (in total) from the written materials listed below in Subsections 6A - 6C.

A. If applicable, list up to five trial or appellate briefs and/or judicial opinions you have written. Refer to them by caption, case number, and filing date.

Rodney Kinta Jenkins v. State, 02D04-0401-PC-12/02D04-9706-CF-333, Findings of Fact and Conclusions of Law, filed February 10, 2015; Order on Petition for Post-Conviction Relief.

State of Indiana v. Joseph A. Garretson, 02D04-0912-FB-223, Sentencing Order, filed June 25, 2010.

Stephen A. Cramar v. State, 02D06-1206-PC-89/02D05-1103-FB-60, Findings of Fact and Conclusions of Law, filed August 6, 2015; Order on Petition for Post-Conviction Relief.

Theodore T. Schwartz v. State, 02D06-1109-PC-116/02D04-0910-FA-60, Findings of Fact and Conclusions of Law, filed January 19, 2016; Order on Petition for Post-Conviction Relief.

State of Indiana v. Gentry T. Mosley, 02D04-0105-CF-210, Order Re: Guidelines for News Media, filed February 20, 2002; former police officer charged with Murder.

B. If applicable, list up to five legislative drafts or court rules you have written or to which you contributed significantly. Refer to them by official citation, date, and subject matter.

Indiana Jury Rules, adopted December 21, 2001, effective January 1, 2003, and as amended.

Rules for Court-Administered Alcohol & Drug Programs, adopted December 11, 1997, and as amended.

Administrative Rules, effective January 1, 1976, and as amended, specifically the changes made in case type designation.

IC 22-4-5-1 and IC 22-4-14-3, effective July 1, 2010. This legislation defines deductible income not to include payments made to an individual by a court system pursuant to a summons for jury duty. It also provides that otherwise eligible individuals shall not be denied unemployment benefits when they are unable to seek work due to service as a juror.

Jury Management Benchbook, First Edition 2011.

C. If applicable, list up to five of your contributions to legal journals or other legal publications. Provide titles, official citations, and a brief description of the subject matter.

In 2006, I was asked by former Chief Justice Shepard to serve as a member of an Advisory Committee to guide a new national study on habeas petitions filed by state prisoners in federal courts. Former Chief Justice Shepard, on behalf of the Conference of Chief Justices, identified me as the State Trial Court Judge to serve on this Committee, representing trial court judges across the nation. The Advisory Committee members were eight individuals from around the country who represented the expertise of the federal and

state judiciary, and included a US District Court Judge, a US Magistrate Judge, states attorneys from Texas and Pennsylvania, criminal defense attorneys, court researchers, and myself. The study was a joint effort of Professor Nancy King, Vanderbilt Law School, Dr. Fred Cheesman, National Center for State Courts, and Dr. Brian J. Ostrom, National Center for State Courts.

In August 2007, the final report and executive summary for the completed habeas study was released, and made available on the Vanderbilt University website and on the National Center for State Courts website. The report is titled *Habeas Litigation in U.S. District Courts, an Empirical Study of Habeas Corpus Cases Filed by State Prisoners under the Antiterrorism and Effective Death Penalty Act of 1996.*

D. Identify the five most significant legal matters entrusted to you, whether as a judge or lawyer, and describe why you believe them to be so.

First: The Future of Indiana Courts

I was privileged to serve on the Board of Directors of the Judicial Conference of Indiana, to participate in decisions which have dramatically impacted the judiciary. In June 2008, the Board conducted a retreat to determine a strategic plan for the Indiana judiciary. I was named a member of the newly created Strategic Planning Committee, charged with the responsibility to study reformation of the structure of our Courts. The original ninemember committee met numerous times and presented a white paper, entitled A New Way Forward which was adopted by the Board of Directors in September 2009. Like all strategic plans, it is aspirational in nature, but contains specific recommendations to improve the quality of justice we provide to our citizens. Several of our recommendations have already been adopted, i.e. increased educational requirements for Judges, more training for our staffs to increase their professionalism, new District governance. Other areas continue to be examined, such as court records and the best way to handle them and protect them, funding issues, technology, and utilization of our Senior Judge resources. In August 2010, the Strategic Planning Committee authored its next white paper, entitled *The* Next Step to a New Way Forward, outlining what had been accomplished and what still needs to be completed. I continue to serve on the Strategic Planning Committee and am committed to bettering the future of our Courts to provide the best justice possible to our citizens.

Second: Technology

I have taken strides to bring the State of Indiana and Allen County to the forefront with jury innovations by the creative use of technology. I also served on the Judicial Technology and Automation Committee, known as JTAC, established in 1999. I was part of a group of Judges and Court Clerks, led by Justice Frank Sullivan, to select an electronic case management system for Indiana trial courts. The group traveled to various jurisdictions across the country and the state to examine different case management systems, and ultimately recommended the Odyssey Case Management system to JTAC for its consideration. Our recommendation was accepted and the Odyssey software was purchased and has been installed in over 225 courts in 52 counties including the Indiana Supreme Court, the Indiana Court of Appeals, and the Indiana Tax Court. Odyssey connects these counties to a continually growing network of courts, clerks, law

enforcement agencies, and other state agencies, allowing users to search case files online at any time.

I led Allen County in the installation of Odyssey in the Circuit and Superior Criminal Courts in September 2010. I formed a Core Team, consisting of all subject matter experts from the Clerk's Office, both Courts, the Prosecutor, the County IT department, and others to meet regularly with JTAC for over one year to ensure conversion of our data, training of our staffs, and the ultimate "go live" in September 2010. Once the criminal case phase was complete, we then brought the Probate and Guardianship cases on line, followed by the rest of the civil cases. E-filing is the next step in this statewide process and has already begun, with pilot projects in several counties underway.

Third: Jury Reform

Since I took office in 1997, I have been involved in the committee work of the Indiana Judicial Center. I was appointed to the Judicial Administration Committee in 1997 as a member, then as Chair of the Committee. This Committee was already in the process of examining jury trials and how they were conducted across the State. In collaboration with an organized citizen group, the Citizens Commission for the Future of Indiana Courts, the Committee began its study. The Citizens Commission conducted public hearings throughout the State to investigate how jurors, their employers, and the communities viewed jury duty. The Committee conducted a survey of over 400 Indiana trial court Judges and Magistrates on how they brought citizens to the courthouse for jury duty, how they managed jury trials, how they dealt with juror stress, and all aspects of jury trials themselves. We discovered that there was no consistency in how jury business was being conducted across the state. Sometimes differences were apparent even within the same county. The Committee investigated how other states were doing jury trials and discovered that Arizona was developing an innovative approach to jury trials with statewide rules governing these trials. The Committee and I wrote rules to govern jury trials. As the Chair of the Committee, I recommended to the Indiana Supreme Court that it engage in wide spread, sweeping reform and adopt the jury rules drafted by the Committee. Ultimately, the Supreme Court accepted many of our recommendations and adopted the Indiana Jury Rules in December 2001.

Fourth: Allen County Jury Reform

As outlined above, I was aware that sweeping jury reform was coming to the State of Indiana. Like the rest of the state, Allen County operated under a quarterly system of calling in jurors. This meant that by the end of the three month time frame, citizens could be called in for jury duty as many as 4 or 5 times, perhaps serving each time. This was a tremendous burden on people, and I was sensitive to the amount of time people were devoting to this important civic duty. In 2001 I secured the approval of the Allen County Council to create a new jury supervisor position, and later in 2001, to purchase new software to run a whole new jury system. I was appointed by my colleagues in Superior Court and the Circuit Court Judge to be the Supervising Judge of our new system. I purchased software from Judicial Systems, Inc. from Texas, a nationally recognized provider of software to manage juror information electronically. The new jury supervisor and I went to Brownsville, Texas in late 2001 to research this software and to see it in action in one of the busiest Courts in Texas.

This cutting edge software was installed in Allen County in 2002, the first of its kind in the State. I was able to introduce the concept of serving as a juror in one trial or for one day, the ability to defer jury duty to a more convenient time if requested, to better document excuses from service, to create a more diverse jury pool with the inclusion of lists from the Bureau of Motor Vehicles in addition to Voter's Registration lists, to streamline the juror questionnaire, and to eliminate from the jury pool those under 18 years of age and non-residents of Allen County. My efforts have led to a much more diverse jury pool with a wider range of citizens serving. To ensure that our jury selection process is totally random, I have had the Center for Jury Studies at the National Center for State Courts examine our software in 2004, 2008, and 2012 to validate our process. Each time we received reports that our system is outstanding.

My innovations in jury reform in Allen County continued with the addition of providing our citizens the option of filling out their questionnaire on-line through a secure website, or telephonically via a touch-tone telephone. Allen County was the first in the State to go to the on-line questionnaires. Allen County is also the first jurisdiction in the United States to utilize text messaging to notify jurors of their service and to allow jurors to communicate directly with our software with mJuror. It was all this innovation and hard work that contributed to the National Center for State Courts awarding me the G. Thomas Munsterman Award in November 2015.

Fifth: Problem Solving Courts

Since 2001, I have presided over our Problem Solving Drug Court Program. Drug Court is a non-adversarial, holistic approach to the Court process. It is charged with the responsibility of handling cases involving drug-addicted offenders through comprehensive and intensive supervision and treatment. The program creates a system in which clear choices are presented and offenders are encouraged to control their own recovery. The effectiveness of the Drug Court approach is attributable to its non-adversarial approach, intensive supervision, judicial interaction, the capacity to deal with relapse and its consequences, and its ability to integrate drug treatment with other rehabilitation/life services. Since its inception in 1997, 766 Indiana citizens have successfully completed the Drug Court Program. They have improved themselves with sober living, the birth of many drug free babies, higher education, better paying jobs, more stable family lives, reunification of families, and improved money handling skills. The research and literature on Drug Courts finds they are successful, in large part, due to the intervention of the judiciary. I know this to be true in fact. The intervention of the Drug Court team in an addict's life is a powerful force for change, if that person is ready for change. Many participants tell us the Judge praising their recovery is the only positive Court involvement they have ever experienced. With the scourge of methamphetamine and heroin, and the overdose deaths that have risen due to these powerful drugs, the Drug Court Program is the best the Indiana judiciary can offer for lasting impact. The collaboration our program entered into with the Allen Circuit Court to create the first Joint Allen County Veteran's Court is a logical extension of this model. I am proud to work with Judge Felts to assist our justice-involved veterans, and to help them to overcome the addictions many succumb to in dealing with their service-related horrors. One of our veterans who served in the Vietnam War had just recently learned of a PTSD diagnosis related to his service.

Drug addiction is the great leveler. We have had doctors, nurses, lawyers, laborers, roofers, clerks, janitors, accountants, rich folks, poor folks, employed and unemployed people, all come through our Drug Court program. As Jane Seigel told our 33rd graduating class in her Keynote speech given on June 11, 2012, "Drug Court Graduations are to the criminal court judge what adoptions are to the Family Court judge, one of the most rewarding and positive experiences a judge can have." When we hold our graduation ceremonies, family members thank the Drug Court Team profusely for giving them back their son, their daughter, their spouse, their friend. That is a significant matter entrusted to me, and I am proud to bear that weight.

7. Efforts to Improve the Legal System, Administration of Justice, or Society

A. Describe your efforts, achievements, or contributions (including written work, speeches, or presentations) toward the improvement of the law, the legal system, or the administration of justice. Include a description of any management or leadership roles you undertook to achieve these goals, and describe any specific instances in which your collaborative efforts helped achieve these goals.

I assisted in the revision of the Court Reporters Handbook, Second Edition, 1996, 1998 Revision, 2009 Revision.

I testified before the United States House of Representatives Government Reform Committee, Subcommittee on Criminal Justice, Drug Policy, and Human Resources on March 22, 2002 on the Drug Court movement and its success.

I was a member on the Indiana Legislative Sentencing Policy Study Committee, appointed by Gov. Daniels in 2005. This committee was charged with the responsibility to study various matters authorized by the House and the Senate relating to the criminal sentencing statutes. The Committee was legislatively abolished in 2009.

In 1995, I received an Outstanding Service Award from the Patrolmen's Benevolent Association.

In 1996, the Fraternal Order of Police gave me a Special Award for Outstanding Service to Law Enforcement.

In October 1998 I presented the Keynote lecture to the Indiana Division of International Association for Identification and received a Certificate of Appreciation.

The *Journal-Gazette* (Fort Wayne Newspapers) awarded me their Citizen of the Year Award in December 2002 for my participation in state-wide jury reform.

Since 2000, I have received numerous Certificates of Appreciation for my contributions to the Paralegal Advisory Board, Ivy Tech Community College.

In September 2008 I received a Certificate as a Graduate of the Indiana Judicial College for receiving 120 hours of legal education.

In November 2011 I received an award from Indiana Tech for assistance and support of The Center for Criminal Sciences for their mock trials.

I have successfully completed a two year Indiana Graduate Program for Judges in June 2012 and was elected Class President for the Class of 2012.

As Chairperson of the Jury Committee of the Indiana Judicial Conference, I assisted in the preparation of a new benchbook for judicial officers on Jury Trial Management, published in 2012.

In May 2014 I was awarded the Distinguished Barrister Award by the *Indiana Lawyer*.

In November 2015, I was awarded the G. Thomas Munsterman Award for Jury Innovation by the National Center for State Courts.

I am routinely asked to make presentations to my colleagues by the Indiana Judicial Center on various matters of criminal law, most particularly on jury trial management.

I routinely present at New Judges School on the Indiana Jury Rules.

I am afforded many opportunities to teach and lecture about the law to a wide variety of groups within my community. I have been a guest lecturer at Indiana University-Purdue University at Fort Wayne; Ivy Tech Community College; IIT; Saint Francis University, and ITT Technical Institute. I have also presented at most of our area high schools and middle schools on all aspects of our legal system. Since I became a Judge in 1997, I have lectured on juvenile law, the death penalty, jury service, the structure of our Indiana courts, how trials work, how our local court system functions, traffic violations, constitutional law, shaken baby syndrome, fetal alcohol syndrome, and many other topics.

B. Describe your efforts, achievements, or contributions (including written work, speeches, or presentations) concerning civic, political, or social issues. Include a description of any management or leadership roles you undertook in this area, and describe any specific instances in which your collaborative efforts in this area led to a successful result.

I am a member of the Drug & Alcohol Consortium (DAC) of Allen County since 2005. DAC works to reduce the negative impacts of drugs and alcohol in Allen County by facilitating collaboration among prevention, justice, and treatment providers; to become the recognized expert regarding the scope of the problem and what resources and solutions are available; and to facilitate and influence the development of public policy and laws.

I was recognized in 1997 for Outstanding Contributions to S.T.O.P. Grant Judges and Prosecutors Training conducted by the Indiana Coalition Against Domestic Violence.

I was a member of the Mayor's Commission Against Rape, Sexual Harassment, and Domestic Violence for many years.

In August 2002 I was named a Hometown Hero by the Indiana District 10 Little League Baseball.

On August 29, 2002 I presented the Convocation Address at Saint Joseph's College, Rensselaer, Indiana, welcoming the incoming class of 2006 to the campus.

In September 2002 I was the Guest Celebrity, Little League Central States Tournament and was given the privilege of giving the opening Invocation for this 10 State tournament.

In October 2003 I received a Community Service Award by the Fort Wayne Fire Department for providing diversity training.

In August 2005 I received a Certificate of Appreciation from Junior League Baseball at their 11 states tournament.

I received a Crystal Award from ITT Technical Institute for Empowering Women in July 2006.

On April 19, 2008 I presented the Keynote Speech at the Zonta International, District 6, Area 4 Annual Meeting on Volunteerism.

I have conducted over ten mock trials at three area high schools around prom and graduation times to address the consequences of drunk and distracted driving.

I was presented with the American Flag, flown on February 10, 2010 aboard Engine 4, Operation Enduring Freedom, USAF Department of Fire and Emergency Services, 386th Fire Department, Ali Al Salem, for my support of their heroic efforts.

In May 2010, I was selected to participate in a Team Tandem Parachute jump with the elite United States Army Parachute Team, the Golden Knights, in Fort Knox, Kentucky.

In June 2011, I was inducted as a Fellow into Saint Joseph's College, Rensselaer, Indiana, for my spiritual, financial, and personal support of the college.

C. Describe your efforts, achievements, or contributions (including written work, speeches, or presentations) to improve your local, state, or national community through charitable work or public service. Include a description of any management or leadership roles you undertook in this area, and describe any specific instances in which your collaborative efforts in this area led to a successful result.

I was a member of the Fort Wayne Central Lions from June 2010-December 2014. I resigned my membership as I was unable to attend the monthly meetings, and so much of the good work of the Lions Club was active fundraising, which I am unable to participate in under the Judicial Canons.

I am a member of Stop Child Abuse and Neglect (SCAN) since 2000 when it assumed control over the Daybreak Children's Shelter from our local community mental health center which had ceased it's funding of this emergency respite shelter. I was with Daybreak on the Advisory Board from 1994-2000. Since 2008 I have served on the Campaign For Children with SCAN. I do not actively participate in actual fund raising as the Canons of Judicial Ethics forbid it, but I provide behind the scenes support and other assistance.

I currently serve as a member of the Church Council for St. John Church in Fort Wayne, and have done so since 2014. I have been a member of St. John's since 1989.

D. Describe the nature and extent of any *pro bono* legal services you have contributed.

In August 1999, the Indiana Supreme Court appointed me the Chairperson of the inaugural District Three *Pro Bono* Committee. I was responsible for establishing a working committee to address the needs of clients in District 3. This is a large geographical district

composed of Allen County and the eight surrounding counties. This working committee was charged with creating a culture and environment helpful to attorneys performing *pro bono* services. I established a committee, and collaborated with nine bar associations and not-for-profit entities to identify client needs and secure attorneys to fill those needs. In February 2001, I was recognized by the Indiana Supreme Court for outstanding contribution toward creating the first *Pro Bono* Committee.

E. Indicate your experience teaching law. Provide the dates, names of institutions or programs, and a description of the subject matter taught.

I provided in-service trainings to the Fort Wayne Police Department twice a year during my time in the Allen County Prosecutor's Office. I also provided regular trainings to the Allen County Sheriff's Department, Fort Wayne Fire Department, several volunteer fire departments, and numerous other law enforcement entities during my time as a deputy prosecutor. I also gave guest lectures at our local colleges and universities during this time frame.

As a Judge, I have not maintained a complete record of all my extensive teaching experiences, but a fair representation of same follows:

April 29, 1999: Issues in Jury Management and Trial Administration, sponsored by the Indiana Judicial Center.

June 24, 1999: Judicial Comments during Trials – Law School for Journalists, sponsored by the Indiana State Bar Association.

October 21-22, 1999: Preparing Women Attorneys for the 21st Century, sponsored by *The Indiana Lawyer*.

September 20-22, 2000: Annual Conference of the Indiana Judiciary, sponsored by the Indiana Judicial Center, Effective Intervention in Alcohol and Drug Cases. I also taught Bail Strategies at the same conference.

June 13, 2001: An Evening with the Judges, sponsored by the Indiana Continuing Legal Education Foundation.

September 20-21, 2001: Jury Rules and Issues, Conference for Indiana Jury Administrators.

April 17-18, 2002: The Capital Case, and Criminal Sentencing Decisions, sponsored by the Indiana Judicial Center.

September 11-13, 2002: Jury Rules Presentation; Jury Selection Issues and Management, sponsored by the Indiana Judicial Center.

September 10-12, 2003: Best Practices in Criminal Cases, sponsored by the Indiana Judicial Center.

April 21, 2004: Jury Trial Management, sponsored by the Indiana Judicial Center.

January 19, 2005: General Jurisdiction Orientation for New Judges; Jury Trial Management, sponsored by the Indiana Judicial Center.

January 22-26, 2007: General Jurisdiction Orientation for New Judges, sponsored by the Indiana Judicial Center. I was faculty for the entire week covering jury work, litigation, best practices, criminal case management, bail issues.

March 2007: Trial Advocacy Skills College, sponsored by the Indiana Continuing Legal Education Foundation.

August 17, 2007: Jury Trial Issues, sponsored by the Indiana Judicial Center.

March 2008: Trial Advocacy Skills College, sponsored by the Indiana Continuing Legal Education Foundation.

April 17, 2008: Handling the Capital Case, sponsored by the Indiana Judicial Center.

November 14, 2008: Jury Rules and Issues, sponsored by the Indiana Judicial Center for the Conference for Indiana Jury Administrators.

March 2010: Trial Advocacy Skills College, sponsored by the Indiana Continuing Legal Education Foundation.

March 2012: Trial Advocacy Skills College, sponsored by the Indiana Continuing Legal Education Foundation.

March 23, 2012: Boot Camp for New Lawyers, sponsored by the Allen County Bar Association.

August 8, 2012: Expungement Law, sponsored by the Allen County Bar Association.

January 29, 2013: New Judges Orientation, presented Jury Rules, sponsored by the Indiana Judicial Center.

February 12, 2013: Problem Solving Courts, sponsored by the Inns of Court.

March 2013: Trial Advocacy Skills College, sponsored by the Indiana Continuing Legal Education Foundation.

February 7, 2014: Bench/Bar Conference, sponsored by the Allen County Bar Association.

March 2014: Trial Advocacy Skills College, sponsored by the Indiana Continuing Legal Education Foundation.

March 21, 2014: Opioids in our Community, sponsored by the Drug and Alcohol Consortium.

April 8, 2014: Veteran's Court, sponsored by the Fort Wayne Base Community Council.

April 19, 2014: Regional Quiz Bowl, sponsored by the Drug and Alcohol Consortium.

July 14, 2014: High Profile Jury Trials, sponsored by the Indiana Judicial Center.

September 23, 2014: Panel Discussion on the Constitution, sponsored by IPFW.

January 27, 2015: New Judges Orientation, Jury Management, sponsored by the Indiana Judicial Center.

February 6, 2015: Bench/Bar, sponsored by the Allen County Bar Association.

March 2015: Trial Advocacy Skills College, sponsored by the Indiana Continuing Legal Education Foundation.

May/June 2015: Indiana Graduate Judges Program, sponsored by the Indiana Judicial Center.

June 16, 2015: Problem Solving Courts presentation, sponsored by the Northern Indiana Paralegal Association.

October 6, 2015: Panel Discussion with Chief Justice Rush, Judge Wendy Williams Davis, Judge Nancy Boyer, sponsored by the Allen County Bar Association.

October 20, 2015: Indiana Judges on Indiana Evidence, sponsored by the Indiana Continuing Legal Education Foundation.

8. Memberships and Other Activities

A. List any memberships and offices you have held in professional organizations, including dates and descriptions of the purposes of the organizations and of your involvement.

Allen County Bar Association, 1987-1990; 2007-present, member. I have participated in the Women Lawyers Section and the Bench/Bar Committee.

Indiana Judges Association, 1997-present, member.

American Judicature Society, 1997-present, member.

Allen County Community Corrections Advisory Board, 1998-present, member. Also part of the Executive Committee recently formed to address HB 1006 sentencing issues at the local level.

District Three Representative to the Indiana Judicial Conference Board of Directors, 2001-2011, member.

Judicial Technology & Automation Committee (JTAC) Executive Committee, 2007-present, member.

Paralegal Advisory Committee, Ivy Tech Community College, 2000-2010.

Strategic Planning Committee of the Indiana Judicial Conference, Board of Directors, 2008-present, member.

Judicial Conference of Indiana Committee work 1997-2015: Judicial Administration Committee, member and former Chair; CADPAC Committee, member and former Chair; Jury Committee, member and former Chair.

B. List any memberships and offices you have held in civic, charitable, or service organizations, including dates and descriptions of the purposes of the organizations and of your involvement.

I am a former member of the Fort Wayne Central Lions Club from June 2010-December 2014. I resigned my membership as I was unable to attend the meetings, and so much of the work required of members was active fundraising.

I am a current member of Stop Child Abuse and Neglect (SCAN) since 2000. The mission of SCAN is parental education and support, prevention of abuse and neglect, support of the family unit, and outreach to the community.

I am a member of my Church Council since 2014, providing oversight and guidance to our Church Mission, which is to lead by God's Word and feed our poor. I represent my Church on the Board of Delegates for Concordia High School.

I am a member of the Fort Wayne Base Community Council since 2013. This is a service agency, established to support the local military installation and servicemen and servicewomen in the Armed Forces. I participated in our first ever 5-K fundraiser last year over the Memorial Day Weekend, running with my 10 year old nephew in memory of my brother, and my nephew's namesake, who was killed in action in September 1999.

I am currently supporting Honor Flight of Northeast Indiana, by volunteering as a guardian to a local WWII Veteran on the next Honor Flight to Washington D.C. on April 27, 2016.

I volunteer my time and talent to the Northeast Indiana Search and Respond Team. This is a certified group of men and women and their K-9 partners, volunteering their time and efforts to local law enforcement agencies (and other agencies if requested) to search for and locate missing children and endangered adults. I have been volunteering my time to these dedicated individuals for over two years.

I contribute excess produce from my garden to Community Harvest Food Bank, a local not-for-profit entity that distributes food to individuals in a 9-county area.

C. List any memberships you hold in social clubs or organizations. If any restrict its membership on the basis of race, sex, religion, or national origin, please describe your efforts within the organization to eliminate restrictions.

I hold no memberships in any social clubs or organizations.

D. Describe your hobbies and other leisure activities.

Gardening is one of my passions. I have a huge vegetable and fruit garden, and I preserve what I grow by making vinegars, jams, and pickles, and by canning. What is not preserved or given to friends and family is donated to the Community Harvest Food Bank. I enjoy cooking and experimenting with new foods and recipes, much to my family and friends' delight. Since we have an in-ground pool, our home is the place to be in the summer as **the** gathering place for BBQs, cookouts, and campfires.

I love to travel, and do extensively as I have family in California, Washington, Georgia, South Carolina, Massachusetts, and throughout the State of Indiana, including

Indianapolis. As we travel, my husband and I enjoy visiting antique shops, searching for unique pieces to add to our collection.

I have three dogs, two Cocker Spaniels and one mini Rat Terrier. The oldest Cocker Spaniel, Dooley, is a champion in Obedience competitions. I have shown him in Fort Wayne, Muncie, and Dayton, Ohio, earning a dozen blue ribbons and several AKC titles. I am just starting the training for Charley, the younger Cocker Spaniel, and hope to show him in Agility Trials.

I also volunteer as a "victim" for the Northeast Indiana Search and Respond Team, hiding in rubble piles, thick brush, and tree stands to be "found" by the K-9s and their handlers in their training sessions. I have also been "tracked and found" by several teams, assisting them in their efforts to remain certified to find missing children and endangered adults.

I participate in several 5-K races in the area as fundraisers for the Fort Wayne Base Community Council, River City Rat Race for the YMCA, and The Alzheimer's Foundation, to name a few.

9. <u>Legal Proceedings</u>

A. List any lawsuits or legal proceedings in any jurisdiction, including but not limited to bankruptcies, dissolutions, and criminal matters to which you have been a party. Provide dates, case numbers, courts, names of other parties, and, if needed, a brief explanation. (If minor children are involved [i.e. an adoption], use initials only.)

N/A

B. If you ever have been arrested or cited for any violation of the law other than for routine traffic violations, provide dates, jurisdictions, and an explanation of the event and its resolution.

N/A

C. If you have been disciplined or cautioned, formally or informally, by the Indiana Supreme Court Disciplinary Commission, by the Indiana Commission on Judicial Qualifications, by the Indiana Supreme Court, or by similar entities in any other jurisdiction, identify each instance by date, case number (if applicable), and describe the circumstances and the nature of the outcome or resolution.

N/A

D. If you have any outstanding federal, state, or local tax obligations, please itemize and explain.

N/A

10. References

A. Provide the names of three attorneys who have been your professional adversaries in your practice or who have litigated substantial cases in your court and who would be in

positions to comment on your qualifications for appointment to the Indiana Supreme Court (contact information to be included in Part Two of this application).

Mr. Anthony Churchward, Attorney at Law

Mr. Michael McAlexander, Chief Deputy, Allen County Prosecuting Attorney's Office

Mr. Donald C. Swanson, Jr., Attorney at Law

B. Provide the names of three professional references other than those listed in Subsection 10A (contact information to be included in Part Two of this application).

The Honorable John F. Surbeck, Jr.

The Honorable Wendy Williams Davis

Mr. Robert W. Gevers, II, Attorney at Law

C. Provide the names of three personal references other than those listed in Subsection 10A or 10B (contact information to be included in Part Two of this application).

The Honorable Stephen M. Sims, retired

Ms. Karen E. Richards

Ms. Yvette Gaff Kleven

11. State Police Release Form and Photograph

- A. Complete a State Police release form printed on green paper (you may obtain the release form by contacting the Nominating Commission Office at 317-232-4706). Include the release form with the original application only and not with the copies.
- B. Attach a recent photograph of you to the front of the original application and to each copy of your application. (This allows the Commission members to put a face with a name if you are interviewed in person.)

22 January 2016	
Date	Applicant Signature
	Frances C. Gull
	Printed Name